

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re

Chapter 9

CITY OF DETROIT, MICHIGAN,

Case No. 13-53846

Debtor.

Judge Thomas J. Tucker

**CERTIFICATION OF NO RESPONSE OR OBJECTION
REGARDING CITY OF DETROIT’S MOTION FOR THE ENTRY OF AN
ORDER ENFORCING THE PLAN OF ADJUSTMENT INJUNCTION
AGAINST H.D.V. GREEKTOWN, LLC, 415 EAST CONGRESS, LLC, AND
K&P, INCORPORATED**

On July 11, 2018, the City Of Detroit (“City”) filed its *Motion for the Entry of an Order Enforcing the Plan of Adjustment Injunction Against H.D.V. Greektown, LLC, 415 East Congress, LLC, and K&P, Incorporated* (“Motion”). [Doc. No. 12852]. The Motion was served upon counsel for H.D.V. Greektown, LLC, 415 East Congress, LLC, and K&P, Incorporated via first class mail on July 11, 2018 as indicated on the Certificate of Service which accompanied the Motion. *See Certificate of Service Exhibit A.*

Counsel to the City received a response in the mail on July 31, 2018 -- one day after the response deadline. No response has been docketed by the Court, however.

The City respectfully requests that the Court enter an order in substantially the same form as the one which was attached to the Motion. *See Proposed Order Exhibit B.*¹

Respectfully submitted,

By: /s/ Marc N. Swanson

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Attorneys for the City of Detroit

DATED: August 2, 2018

¹ The final two sentences in the proposed order attached as Exhibit B, which include a procedure for filing a fee statement with this Court and allowing for a response, were not included in the proposed order attached to the Motion.

Exhibit A

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:

City of Detroit, Michigan,

Debtor.

Bankruptcy Case No. 13-53846

Judge Thomas J. Tucker

Chapter 9

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on July 11, 2018, he filed the *City of Detroit's Motion for the Entry of an Order Enforcing the Plan of Adjustment Injunction Against H.D.V. Greektown, LLC, 415 East Congress, LLC, and K&P, Incorporated* ("Motion") using the court's CM/ECF system which provided notice of the filing to all registered participants in this matter. The undersigned further certifies that on July 11, 2018, a copy of the Motion was served upon the following via United States mail:

Bradley Shafer; Matthew Hoffer
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Exhibit B

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:

City of Detroit, Michigan,
Debtor.

Bankruptcy Case No. 13-53846

Judge Thomas J. Tucker

Chapter 9

**ORDER GRANTING THE CITY OF DETROIT’S MOTION FOR THE
ENTRY OF AN ORDER ENFORCING THE PLAN OF ADJUSTMENT
INJUNCTION AGAINST H.D.V. GREEKTOWN, LLC, 415 EAST
CONGRESS, LLC, AND K&P, INCORPORATED**

This matter, having come before the Court on the *City of Detroit’s Motion for the Entry of an Order Enforcing the Plan of Adjustment Injunction Against H.D.V. Greektown, LLC, 415 East Congress, LLC, and K&P, Incorporated* (the “Motion”)², upon proper notice and a hearing, the Court being fully advised in the premises, and there being good cause to grant the relief requested,

THE COURT ORDERS THAT:

1. The Motion is granted;
2. The Cabarets must withdraw with prejudice their argument that they should be provided a fee enhancement in the 2006 Action due to the City’s bankruptcy.

² Capitalized terms used but not otherwise defined in this Order shall have the meanings given to them in the Motion.

3. The Cabarets must dismiss or caused to be dismissed with prejudice the appeal currently pending in the Sixth Circuit Court of Appeals, appeal number 18-1203.

4. The City is awarded its reasonable attorneys' fees and costs expended in conjunction with this Motion and the appeal currently pending in the Sixth Circuit Court of Appeals, appeal number 18-1203. The City must file and serve on counsel to the Cabarets an itemization of its attorneys' fees and costs expended in conjunction with the Motion and the appeal currently pending in the Sixth Circuit Court of Appeals, appeal number 18-1203 for the Court's consideration within 14 days after the entry of this Order. The Cabarets must file any objection to such itemization no later than 14 days after they are served.